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To:	U.S. Patent and Trademark Office	From:	James Remenick
Fax:	571-273-8300	Pages:	6 (w/fax cover)
Art Unit	3623	Date:	November 2, 2006

• Comments:

## ATTN: MAIL STOP APPEAL BRIEF - PATENTS

Applicant: William A. KNAUS et al.  
Application No.: 09/816,152  
Filing Date: March 26, 2001  
Title: BROADBAND COMPUTER-BASED NETWORKED SYSTEMS FOR  
CONTROL AND MANAGEMENT OF MEDICAL RECORDS

Atty Docket No.: 8123.002.US

Attached:

1. Certificate of Transmission Under 37 CFR 1.8 (1 pg)
2. Reply to the Notification of Non-Compliant Appeal brief (3 pgs)
3. copy of Notification of Non-Compliant Appeal Brief (1 pg)

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PATENT  
Attorney Docket No.: 8123.002 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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William A. KNAUS et al.

Group Art Unit: 3626

NOV 02 2006

Application Number: 09/816,152

Examiner: Lena Najarian

Filing Date: March 26, 2001

Title: BROADBAND COMPUTER-BASED NETWORKED SYSTEMS FOR  
CONTROL AND MANAGEMENT OF MEDICAL RECORDSCERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTN: Mail Stop Appeal Brief - Patents

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on November 2, 2006.

  
Nadine E. Johnson

## List of Transmitted Documents:

1. Reply to the Notification of Non-Compliant Appeal Brief (3 pgs)
2. Copy of Notification of Non-Compliant Appeal Brief (1 pg)

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<b>Notification of Non-Compliant Appeal Brief (37 CFR 41.37)</b>	Application No. 09/816,152	Applicant(s) KNAUS ET AL	NOV 02 2006
	Examiner Lena Najarian	Art Unit 3628	

*-The MAILING DATE of this communication appears on the cover sheet with the correspondence address-*

The Appeal Brief filed on 12 October 2006 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH** or **THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☒ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

The claimed invention does not identify the independent claims 1, 20, 30, 40, 41 and 46 in section V.

  
BRIDGET C. MONROE  
PATENT APPEAL CENTER SPECIALIST